REMARKS

This amendment is in response to the Non-final Office Action of January 12, 2010. Claims 1, 3, 6, 10, 12, 18, 19, 22, and 23 have been amended. Claims 14-19 are withdrawn. Claims 5 and 7-9 have been cancelled. Claims 24-27 have been added. Claims 1-4, 6, 10-19, and 22-27 are currently pending. No new matter has been added.

§ 112 Rejections

Claims 1-13, 22, and 23 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office Action asserts that there is no support in the originally-filed disclosure for "an outer covering tube that spans from a handle to a distal end" or "an inner core surrounded by the outer covering from the handle to a distal end," both of which were recited in claim 1. The Office Action asserts that, although Figures 2 and 3 show a handle, a distal end, and a cross-section at one location, there is no indication in either Figure 2 or 3 that the tube and core configuration span the entire length of the stylet.

The Applicants respectfully disagree. The Applicants, however, have made a non-narrowing amendment to remove the recitations "from a handle to a distal end" in order to advance prosecution of the application at issue. Claim 1 has been amended to recite that the outer covering extends the entire length of the body. Figures 2-5 of the originally-filed disclosure clearly support the notion that the outer covering spans the entire length of the stylet. Figure 2 shows a continuous surface extending the entire length of the stylet. Figures 3-5 identify this continuous surface as being the outer surface of the stylet.

Additionally, the Applicants have added claim 27 which recites that the inner core extends the entire length of the body. The Office Action failed to consider Figures 4 and 5, both of which show alternate longitudinal cross-section views of portions of the stylet shown in Figure 2. Both Figures 4 and 5 show both the inner core and the outer covering extending along the entire length of the shown portions of the stylet. Additionally, both Figures 4 and 5 illustrate unspecified portions of the stylet of Figure 2. Thus, the unspecified portions of Figures 5 and 6 can be any portion of the

stylet of Figure 2. Therefore, there is support in the originally-filed disclosure for the notion that the inner core and the outer covering each span the entire length of the stylet.

Claims 2-4, 6, 10-13, 22, and 23 each depend from claim 1. Claims 5 and 7-9 have been cancelled. Accordingly, the Applicants respectfully request that the rejections of claims 1-13, 22, and 23 be withdrawn.

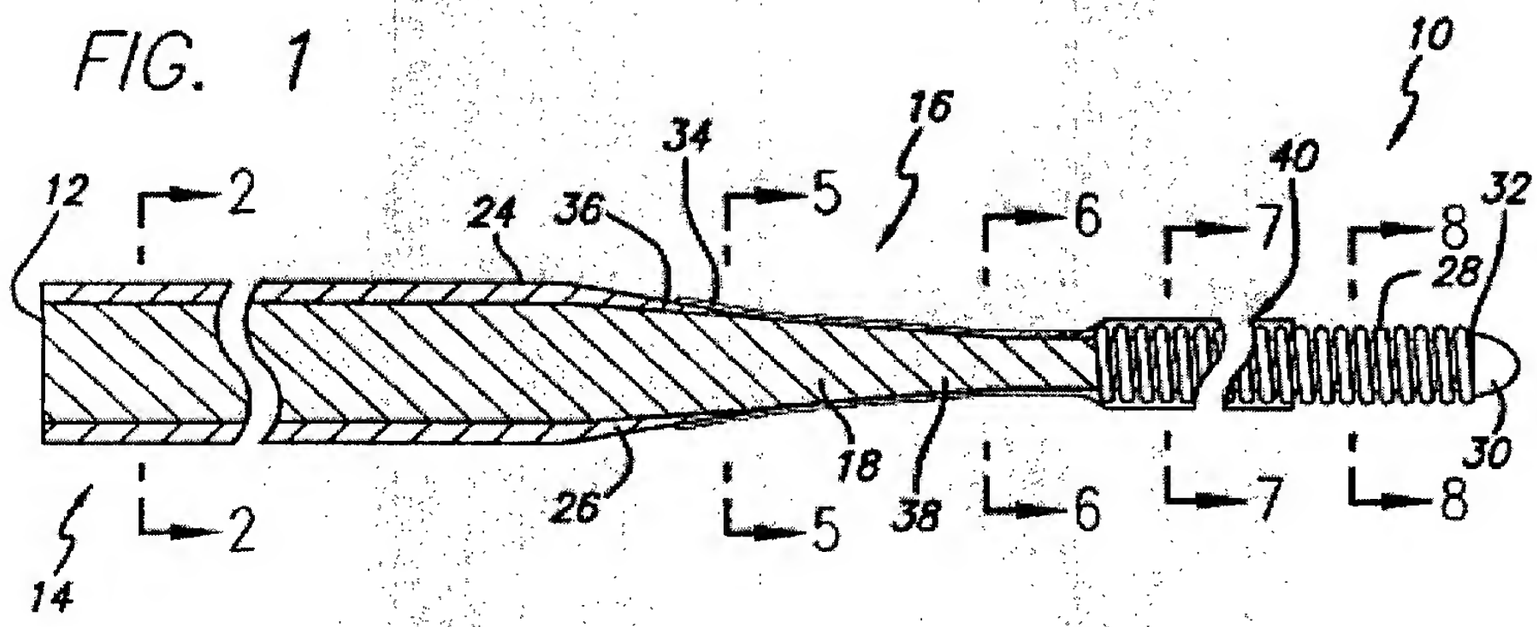
§ 102 and § 103 Rejections

Claims 1, 5-11, 22, and 23 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,165,140 to Ferrera (hereinafter "Ferrera"). Claims 2-4, 12, and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrera in view of U.S. Patent 7,074,197 to Reynolds et al. (hereinafter "Reynolds"). The Applicants traverse these rejections.

Claim 1 recites a stylet for use with a medical stimulating lead. The stylet includes an elongated body having a proximal end, a distal end, a length, and an outer diameter along the length; and a handle disposed at the proximal end of the body. The body includes an outer covering and a solid inner core each extending along the length of the body. The outer diameter of the body is isodiametric.

Ferrera does not teach or suggest a stylet having an isodiametric body. Ferrera discloses a composite guidewire having an elongate core with a distal tapered portion and a reinforcement tube disposed over a proximal portion of the core (Ferrera, Abstract). Figure 1 of Ferrera is provided below.

FIG. 1



As shown in Figure 2 of Ferrera, the composite guidewire 10 has an elongate core 12 with a distal tapered portion 18 and a reinforcement tube 24 disposed over a proximal portion 14 of the core 12 (Ferrera, col. 3 lines 1-18). Clearly, the guidewire 10 of Ferrera is not isodiametric. The distal end of the guidewire 10 does not include the reinforcement tube 24, and the distal end of the core 12 tapers to a smaller diameter.

The Office Action asserts that the composite guidewire 10 of Ferrera is isodiametric and that the tapering portion of the guidewire 10 distal to the reinforcement tube 24 is part of the distal end of the stylet and, therefore, does not fall within the claimed isodiametric portion of the stylet (Office Action, pages 3,4). Claim 1 has been amended to recite a "body" that has a "distal end" and that is "isodiametric." Thus, the claimed distal end is part of the isodiametric body. Therefore, since the distal end of Ferrera is not isodiametric, the guidewire 10 is not isodiametric. Accordingly, Ferrera does not teach or suggest a stylet having an isodiametric body, as recited in claim 1.

Moreover, forming a stylet with an isodiametric body amounts to more than a mere design choice. Providing an isodiametric body may improve the ability of a user to maneuver the stylet within a lead as compared to a stylet having one or more tapered regions. For example, an isodiametric body may provide consistent movement (*e.g.*, sliding, twisting, rotating, bending, or the like) along the entire length of the stylet within the lead. In contrast, a stylet body having one or more tapered regions may provide different movements along different portions of the stylet. For example, the tapered region(s) may have different stiffnesses than untapered region(s).

Additionally, the tapered region(s) may encounter different amounts of resistance than untapered region(s) with the walls of the lumen within which the stylet is disposed. These variable stiffnesses and resistances may cause the stylet to move differently along those portions of the stylet than the untapered regions of the stylet. These different movements may be difficult to account for when maneuvering the stylet while disposed in the lead and may potentially cause harm to the patient.

Claim 1 also recites that the outer covering extends along the entire length of the body. As clearly shown in Figure 1 of Ferrera, the proximal reinforcement tube 24 is disposed only over the proximal region of the core (see also, Ferrera, col. 3 lines 17-18). Accordingly, Ferrera does not teach or suggest an outer covering extends along the length of the body from the proximal end to the distal end, as recited in claim 1.

Reynolds is cited by the Office Action for disclosing a stylet having an outer sheath formed from nitinol and an inner core formed from stainless steel (Office Action, page 6). There is no teaching or suggestion in Reynolds of an outer covering that extends along the length of the body from the proximal end to the distal end, as recited in claim 1. Accordingly, Reynolds does not cure the deficiencies of Ferrera.

Accordingly, neither Ferrera nor Reynolds, alone or in combination, teach or suggest all of the elements of claim 1. For at least these reasons claim 1, as well as claims 2-4, 6, 10-19, and 22-27 which depend therefrom, are patentable over the cited references. The Applicants respectfully request withdrawal of the rejections of these claims.

Claim 10 additionally recites that the inner core has a substantially constant thickness along the length of the body. Ferrera does not teach or suggest an inner core having a substantially constant thickness along the length of the body. As shown in Figure 1 of Ferrera (see above), the guidewire 10 includes an elongate core 12 with a distal tapered portion 18 (Ferrera, col. 3 lines 1-18). Thus, Ferrera does not teach or suggest an inner core having a substantially constant thickness along the length of the body, as recited in claim 10. For at least these additional reasons, claim 10 is

patentable over the cited references. The Applicants respectfully request withdrawal of the rejection of claim 10.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner has any questions or concerns, the Applicant(s) encourage(s) the Examiner to contact the Applicants' representative, Patrick Turner, by telephone to discuss the matter.

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Respectfully submitted,

By _____

Patrick R. Turner
Registration No.: 49,050
FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, New York 10151
(212) 588-0800
(212) 588-0500 (Fax)
Attorneys/Agents For Applicant